

and employee contributions to healthcare capped at 15 percent.

This is supported by the freight railroads, shippers, and 8 out of 12 of the labor unions involved. This was a very negotiated proposal. It had bipartisan momentum that was building for this resolution. Unfortunately, the majority decided to play political games with the economy, and they went back on the President's and the Speaker's stated support for implementing the terms of the tentative agreement. This is beyond bad faith. This is just simply reckless.

I point out that what we are debating right now and what we will vote on with this is the tentative agreement. That is the original agreement. We will go on next to vote on the extra benefits.

Despite the Speaker and the President's decision to cower to the progressive demands by having a second vote on the revised agreement, I do plan to support this resolution, this one right now that we are debating, to implement the tentative agreement as it was debated, as it was negotiated, in an effort to stop an economically ruinous rail shutdown, and I urge my colleagues to do the same.

Mr. Speaker, I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank my colleague on the other side of the aisle for once again making the points that we have tried to make.

You will have the opportunity to vote on H.J. Res. 100. It has been mistakenly portrayed as a poison pill. There is no poison pill. You have the opportunity to vote on H.J. Res. 100.

Then, there is a second piece of legislation. You are welcome. We separated them. We separated them, but we had to do something.

This, Mr. Speaker, is about fairness. Just as you have a vote in this body, each member has a vote to ratify or not ratify. The workers in the labor unions have a vote to ratify or not ratify.

Your leadership comes up with, sometimes, things that you want to see done. Does everyone vote with the leadership? It was a negotiated deal. Eight of the 12 ratified; 4 did not. And 115,000 workers, the majority of the workers, are in those four unions, from what I understand. So, it is a fair majority of the workers that did not ratify this.

Do you mean to tell me that every time your leadership gives you something that they negotiate that you vote on it? No. There are some times you don't vote with what your leadership has brought you.

These people are doing the same thing that you are allowed to do in this body, and I don't think that is a situation that is unrealistic.

Now, as the railroads implemented drastic changes that brought steep workforce cuts—that is right, cuts—

and closures of yards and shops and associated jobs, and pushed workers to the brink during the pandemic, our railroad workers showed up every day and night out of their commitment to our country, serving as defenders in chief of our economy. That is patriotism and deserves to be honored.

During the pandemic, they suffered through some of the most strict attendance policies in our country in order to keep our economy alive. We shouldn't have to intervene, but we must ensure that Americans don't have to pay for the greed of those who have yielded the benefits of record-breaking profits and won't meet their employees' demands for basic human rights.

Paid sick time is a basic necessity required to recover from being ill that all of your staffs have. It helps prevent sick workers from making preventable safety mistakes.

Time has proven that railroads are unwilling to settle this dispute, despite having more than enough money to pay for these basic benefits. Railroad CEO salaries continue to exceed as much as 144 times what the average railroad worker makes. Still, they are unwilling to bend for paid sick time off. I wonder what they do when they are sick.

All the while, they know that their profits are built off the backs of these dedicated rail workers who deserve so much more.

Despite the challenging decision to intervene, I will continue to press the rail industry to do what they know to be right by their workers. Once we pass this legislation, we will pass legislation that guarantees paid sick leave for rail workers since the industry has decided they wouldn't.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1499, the previous question is ordered on the joint resolution.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GRAVES of Missouri. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

Pursuant to House Resolution 1499, H. Res. 1495 and H. Con. Res. 118 are considered as adopted.

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.J. RES. 100

Mr. PAYNE. Mr. Speaker, pursuant to House Resolution 1499, I call up the

concurrent resolution (H. Con. Res. 119) providing for a correction in the enrollment of H.J. Res. 100, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. YARMUTH). Pursuant to House Resolution 1499, the concurrent resolution is considered read.

The text of the concurrent resolution is as follows:

H. CON. RES. 119

Resolved by the House of Representatives (the Senate concurring). That, in the enrollment of the joint resolution H.J. Res. 100, the Clerk of the House of Representatives shall make the following corrections:

(1) Amend section 1—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following:

“(b) PAID SICK LEAVE.—

“(1) IN GENERAL.—Any tentative agreements, side letters, or local carrier agreements entered into by the parties and ratified before the date of enactment of this joint resolution and the tentative agreements, side letters, and local carrier agreements made binding by subsection (a) shall, beginning 60 days after the date of enactment of this joint resolution, provide—

“(A) for 7 days of paid sick leave annually, except that nothing in this subparagraph shall supersede any existing labor agreement between such parties that provides for more than 7 days of paid sick leave annually; and

“(B) that the use of any 7 days of paid sick leave annually, regardless of whether such days are provided under a tentative agreement, side letter, or local carrier agreement or under an existing labor agreement described in subparagraph (A), will not result in any points, demerits, or disciplinary citations under any party's attendance policy.

“(2) EFFECT.—The modification referenced in paragraph (1) shall each have the same effect as though arrived at by agreement of such parties under the Railway Labor Act (45 U.S.C. 151 et seq.).”

(2) Redesignate section 2 as section 3.

(3) After section 1, insert the following:

“SEC. 2. NEGOTIATIONS AND ARBITRATION.

“(a) NEGOTIATIONS.—The parties to the disputes subject to Presidential Emergency Board No. 250, established pursuant to Executive Order 14077 of July 15, 2022, shall negotiate the implementation of the 7 days of paid sick leave imposed on such parties by section 1(b).

“(b) BINDING ARBITRATION.—If, after 30 days after the date of enactment of this joint resolution, the parties are not able to reach agreement on the matter described in subsection (a), such parties shall enter into binding arbitration on such matter to provide for a final resolution of such unresolved matter.

“(c) ARBITRATION.—The arbitration described in subsection (b) shall be conducted pursuant to the provisions of section 7 of the Railway Labor Act (45 U.S.C. 157), and any award shall be enforceable under section 9 of the Railway Labor Act (45 U.S.C. 159), except that, in the public interest, compensation and expenses of the arbitrators shall be borne equally by the parties.

“(d) DEADLINE.—Not later than 60 days after the date of enactment of this joint resolution, any binding arbitration proceeding entered into pursuant to subsection (b) shall be completed, including issuance of any award by the arbitration board.”

The SPEAKER pro tempore. The concurrent resolution shall be debatable

for 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees.

The gentleman from New Jersey (Mr. PAYNE) and the gentleman from Missouri (Mr. GRAVES) each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 119.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am honored to offer this enrollment corrections bill with my friend and colleague, PETER DEFazio, who is ironically and responsibly taking a sick day. He is at the tail end of COVID, and we all appreciate his ability to stay home when he is sick.

This bill will allow the same for railroad workers. It will correct what the freight railroads have refused to do during 3 years of contract negotiations with their workers—during a worldwide pandemic, no less—despite the railroads earning tens of billions of dollars every year.

Railroad workers showed up every day during the rise and height and now the steadying of the COVID-19 pandemic. They risked their health and the health of their families to keep our Nation's freight moving.

Railroaders cannot work remotely. Some are on call regularly, and others work outdoors year-round. Unlike 75 percent of private industry workers, the more than 10,000 railroad workers do not have paid sick days.

I should note that management at these very railroads have paid sick days. This bill will correct this wrong by ensuring that freight rail workers have 7 days of paid sick leave, along with a 60-day process to enforce the measure.

Lest anyone think that the railroads cannot afford to provide the more than 100,000 employees paid sick leave, consider that the railroads are able to provide their workers with this benefit for less than a penny for every dollar they reported in profit and shareholder returns last year—less than a penny.

□ 1130

Many of you know that I have type 2 diabetes. I attend regular dialysis treatments. I would not be able to do my job without paid sick time. Every American worker deserves that same allowance.

Without paid sick time, railroad workers are forced to make a choice between their health or the health of their families and their paychecks.

This isn't fair. It isn't right. And this bill would correct that.

Mr. Speaker, I urge all Members to support this bill, and I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to H. Con. Res. 119.

Less than 72 hours ago, Speaker PELOSI issued a statement in support of passing the tentative agreement reached between the Biden administration, the railway carriers, and the unions representing the railroad workers: All the parties.

Her statement specifically said, "the House will take up a bill adopting the tentative agreement—with no poison pills or changes to negotiated terms. . . ."

Well, now, due to the failure by the White House to resolve this labor strike and the inability of the President and the administration to show leadership at a time of crisis, we have two resolutions before the House today.

One, H.J. Res. 100 is the tentative agreement, which I support. And this one, H. Con. Res. 119, that violates both the Speaker's pledge and the President's call for Congress to pass a resolution to compel the parties to implement the terms of the tentative agreement.

Again, the Biden administration reached this tentative agreement with the rail carriers and a strong majority, 8 out of 12, of the railroad labor unions. The White House called the tentative agreement, "a win for rail workers."

Labor Secretary Walsh and other union leaders praised it. In fact, they took credit for it. But less than 24 hours ago, H. Con. Res. 119 came to us altering that agreement, despite bipartisan momentum for averting an economically disastrous shutdown for our rail network.

Let's just call this new resolution what it is. It is nothing more than a political stunt. It is pandering, Mr. Speaker.

Who needs the National Mediation Board anymore, or reviews by a neutral Presidential Emergency Board when one side—or both sides, for that matter—believe they can simply skip actual bargaining and accomplish what they otherwise can't from Congress.

Today, my colleagues are truly acting recklessly and are setting a very terrible precedent. Our priority should be protecting our economy from the consequences of a nationwide rail strike.

A rail shutdown would severely disrupt supply chains. It would add to an already 40-year-high inflation rate, lead to higher energy costs as winter weather raises demand, and disrupt global food supplies.

As has been stated today, estimates are that America's economic output would decline by \$2 billion a day. Avoiding these outcomes should be our

top priority. Governing should be our top priority, not pandering and not playing political games with the economy.

Instead, my colleagues decide to pull a bait and switch. That is what this is. This resolution simply compounds the failures of the Biden administration to come to a resolution.

Mr. Speaker, I strenuously oppose this cynical ploy by Speaker PELOSI, and I encourage my colleagues to vote "no" on this concurrent resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I would once again state that H.J. Res. 100 passed. We will be taking up the yeas and nays, but it will pass. And to my colleagues on the other side of the aisle, I am glad they were able to do the right thing. There was no poison pill.

We have a separate resolution of H. Con. Res. 119, so it was not included in H.J. Res. 100, which would have been considered by them a poison pill. But we have a separate resolution, just to clarify, so now it is whether they will step up and do the right thing for people that kept this Nation going during a time when a lot of us stayed home sick.

Mr. Speaker, it is just the right thing to do. It is a matter of whether they are going to be courageous or not. This is not pandering. This is seeing a situation and addressing it.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Missouri has 1½ minutes remaining. The gentleman from New Jersey has 30 seconds remaining.

Mr. GRAVES of Missouri. Mr. Speaker, I am prepared to close, and I yield myself the balance of my time.

Mr. Speaker, freight rail workers received historic pay increases and benefits as part of the tentative agreement, and that agreement was supported by the freight railroads, 8 of the 12 labor unions, and many of the shippers.

The tentative agreement was championed by President Biden and his administration. Speaker PELOSI promised just 2 days ago to support the tentative agreement with no poison pills. This last-second desperate move to add paid sick leave is unprecedented congressional intervention and goes far beyond what the freight railroads and the unions originally agreed to.

There has been a lot of discussion about the needs of workers. And I would point out that the railroad workers already get an average of 3 weeks of paid leave, with the potential to receive 5 weeks depending on their years of service. Most Americans do not get these generous leave policies.

President Biden's neutral Presidential Emergency Board considered and rejected extra paid sick leave, and instead, they supported historic salary increases to reward rail workers.

This is blatant political pandering. It must be rejected, and we should instead focus on solutions that end the threat of a rail strike and restore confidence in our supply chain. This is just a gimmick, Mr. Speaker. It is a concurrent resolution. It is just a gimmick.

Mr. Speaker, I would urge my colleagues to oppose H. Con. Res. 119, and I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, paid sick days are a right. A right that for too long freight railroads have refused to provide to railroad workers. That is the issue. This benefit will cost less than 1 percent of the profits railroads have reported last year. Our bill will guarantee that freight rail workers have 7 days of paid sick leave, and I am pleased that we have seen bipartisan support for this idea in the Senate.

Mr. Speaker, I urge all Members to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1499, the previous question is ordered on the concurrent resolution.

The question is on adoption of the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GRAVES of Missouri. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 40 minutes a.m.), the House stood in recess.

□ 1215

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCNERNEY) at 12 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adopting H.J. Res. 100, and Agreeing to H. Con. Res. 119.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR A RESOLUTION WITH RESPECT TO THE UNRESOLVED DISPUTES BETWEEN CERTAIN RAILROADS REPRESENTED BY THE NATIONAL CARRIERS' CONFERENCE COMMITTEE OF THE NATIONAL RAILWAY LABOR CONFERENCE AND CERTAIN OF THEIR EMPLOYEES

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on passage of the joint resolution (H.J. Res. 100) to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The vote was taken by electronic device, and there were—yeas 290, nays 137, not voting 5, as follows:

[Roll No. 490]

YEAS—290

Adams	Costa	Herrera Beutler
Aguilar	Courtney	Higgins (NY)
Alred	Craig	Hill
Armstrong	Crawford	Himes
Auchincloss	Crow	Hinson
Axne	Cuellar	Horsford
Bacon	Davids (KS)	Houlahan
Baird	Davis, Danny K.	Hoyer
Balderson	Davis, Rodney	Huffman
Barragán	Dean	Jackson Lee
Bass	DeFazio	Jacobs (CA)
Beatty	DeGette	Jacobs (NY)
Bera	DeLauro	Jayapal
Beyer	DeBene	Jeffries
Bishop (GA)	Demings	Johnson (GA)
Blumenauer	Diaz-Balart	Johnson (OH)
Blunt Rochester	Dingell	Johnson (SD)
Bonamici	Doggett	Johnson (TX)
Bost	Doyle, Michael	Jones
Bourdeaux	F.	Joyce (OH)
Bowman	Escobar	Joyce (PA)
Boyle, Brendan	Eshoo	Kahele
F.	Españillat	Kaptur
Brown (MD)	Estes	Katko
Brown (OH)	Evans	Keating
Brownley	Feenstra	Kelly (IL)
Budd	Ferguson	Khanna
Bush	Finstad	Kildee
Bustos	Fischbach	Kilmer
Butterfield	Fitzpatrick	Kim (CA)
Calvert	Fleischmann	Kim (NJ)
Carbajal	Fletcher	Kind
Cárdenas	Flood	Kirkpatrick
Carey	Foster	Krishnamoorthi
Carson	Frankel, Lois	Kuster
Carter (GA)	Fulcher	LaHood
Carter (LA)	Galleo	LaMalfa
Cartwright	Garamendi	Lamb
Case	Garbarino	Langevin
Casten	García (IL)	Larsen (WA)
Castor (FL)	García (TX)	Larson (CT)
Castro (TX)	Gibbs	LaTurner
Cawthorn	Gomez	Lawrence
Chabot	Gonzales, Tony	Lawson (FL)
Cheney	Gonzalez (OH)	Lee (CA)
Cherfilus-	Gonzalez,	Lee (NV)
McCormick	Vicente	Leger Fernandez
Cicilline	Gosar	Lesko
Clark (MA)	Gottheimer	Letlow
Clarke (NY)	Graves (LA)	Levin (CA)
Cleaver	Graves (MO)	Levin (MI)
Clyburn	Green, Al (TX)	Lieu
Cohen	Griffith	Lofgren
Cole	Grijalva	Lowenthal
Connolly	Grothman	Lucas
Conway	Harder (CA)	Luria
Cooper	Hartzler	Lynch
Correa	Hayes	Malinowski

Malliotakis	Perlmutter	Spanberger
Maloney,	Peters	Speier
Carolyn B.	Phillips	Stansbury
Maloney, Sean	Pingree	Stanton
Mann	Porter	Stauber
Manning	Pressley	Stevens
Matsui	Price (NC)	Strickland
McBath	Quigley	Suozi
McCollum	Raskin	Swalwell
McGovern	Rice (NY)	Takano
McNerney	Rice (SC)	Thompson (CA)
Meeks	Rogers (KY)	Thompson (MS)
Meng	Ross	Titus
Meuser	Rouzer	Tonko
Mfume	Roybal-Allard	Torres (NY)
Miller (IL)	Ruiz	Trahan
Miller (WV)	Ruppersberger	Trone
Miller-Meeks	Rush	Turner
Moore (UT)	Ryan (NY)	Underwood
Moore (WI)	Ryan (OH)	Upton
Morelle	Salazar	Valadao
Moulton	Sánchez	Van Drew
Mrvan	Sarbanes	Van Duyn
Murphy (FL)	Scanlon	Vargas
Nadler	Schakowsky	Veasey
Napolitano	Schiff	Velázquez
Neal	Schneider	Wagner
Neguse	Schrader	Wasserman
Nehls	Schrier	Schultz
Newhouse	Scott (VA)	Waters
Newman	Scott, David	Watson Coleman
O'Halleran	Sempolinski	Webster (FL)
Obermole	Sewell	Welch
Ocasio-Cortez	Sherman	Wexton
Omar	Sherrill	Wild
Pallone	Simpson	Williams (GA)
Panetta	Sires	Wilson (FL)
Pappas	Slotkin	Womack
Pascrell	Smith (NJ)	Yakym
Payne	Smith (WA)	Yarmuth
Pelosi	Soto	

NAYS—137

Aderholt	Garcia (CA)	Norman
Allen	Gimenez	Owens
Amodei	Gohmert	Palazzo
Arrington	Golden	Palmer
Babin	Good (VA)	Peltola
Banks	Gooden (TX)	Pence
Barr	Granger	Perry
Bentz	Green (TN)	Pfleger
Bergman	Greene (GA)	Pocan
Bice (OK)	Guest	Posey
Biggs	Guthrie	Reschenthaler
Bilirakis	Harris	Rodgers (WA)
Bishop (NC)	Harshbarger	Rogers (AL)
Boebert	Hern	Rose
Brady	Herrell	Rosendale
Brooks	Hice (GA)	Roy
Buchanan	Higgins (LA)	Rutherford
Buck	Hollingsworth	Scalise
Bucshon	Huizenga	Schweikert
Burchett	Issa	Scott, Austin
Burgess	Jackson	Sessions
Cammack	Johnson (LA)	Smith (MO)
Carl	Jordan	Smith (NE)
Carter (TX)	Keller	Smucker
Chu	Kelly (MS)	Spartz
Cline	Kelly (PA)	Steel
Cloud	Kustoff	Stefanik
Clyde	Lamborn	Steil
Comer	Latta	Steube
Crenshaw	Long	Stewart
Curtis	Loudermilk	Taylor
DeSaulnier	Luetkemeyer	Tenney
DesJarlais	Mace	Thompson (PA)
Donalds	Massie	Tiffany
Duncan	Mast	Timmons
Dunn	McCarthy	Tlaib
Ellzey	McCaul	Torres (CA)
Emmer	McClain	Walberg
Fallon	McClintock	Waltz
Fitzgerald	Meijer	Weber (TX)
Flores	Moolenaar	Wenstrup
Foxx	Mooney	Westerman
Franklin, C.	Moore (AL)	Williams (TX)
Scott	Mullin	Wilson (SC)
Gaetz	Murphy (NC)	Wittman
Gallagher	Norcross	Zeldin

NOT VOTING—5

Davidson	Kinzinger	McKinley
Hudson	McHenry	

□ 1302

Mr. GREEN of Tennessee changed his vote from "yea" to "nay."